

## COASTAL CONSERVANCY

Staff Recommendation  
December 8, 2005

### **FAIRHAVEN ‘T’ ACCESS POINT REHABILITATION**

File No. 05-067  
Project Manager: Su Corbaley

**RECOMMENDED ACTION:** Authorization to disburse up to \$50,000 to the Humboldt County Community Development Services Department, Planning Division, for rehabilitation of the Fairhaven ‘T’ Access Point on the north spit of Humboldt Bay, between the communities of Samoa and Fairhaven.

**LOCATION:** The access point is located on the north spit of Humboldt Bay in Humboldt County, on the west side of New Navy Base Road between the communities of Samoa and Fairhaven (Exhibit 1).

**PROGRAM CATEGORY:** Public Access

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#### **EXHIBITS**

- Exhibit 1: Project Location and Site Map
  - Exhibit 2: Photos of Current Condition
  - Exhibit 3: Engineering Design
  - Exhibit 4: Letters of Support
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#### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Humboldt County (“the County”) to rehabilitate the Fairhaven ‘T’ Access Point located on the north spit of Humboldt Bay, as depicted in Exhibit 1 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the County shall submit for review and written approval of the Executive Officer of the Conservancy (“Executive Officer”):
  - a. A work plan, budget and schedule.

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- b. The names and qualifications of any contractors to be employed to carry out the work plan.
- c. A detailed signing plan consistent with the sign guidelines for projects funded by the 2000 Parks Bond Act (Proposition 12).
2. Evidence that the County has obtained all necessary permits to carry out the project as designed.
3. Conservancy funding shall be acknowledged by erecting and maintaining a sign the design and placement of which have been approved by the Executive Officer.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*) regarding access to the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve more than local needs.”

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### **PROJECT SUMMARY:**

The proposed authorization would enable Humboldt County, through its Community Development Services Department, Planning Division (“the County”) to rehabilitate the Fairhaven ‘T’ Access Point located on the west side of New Navy Base Road on the north spit of Humboldt Bay. The proposed project site is located adjacent to a public access easement offered by the North Coast Export Company as a condition of its development permit and recently accepted by the County (see Exhibit 1). Together, the Fairhaven ‘T’ access point and the North Coast Export easement provide vehicle parking and access to the shoreline from New Navy Base Road. However, the facilities at the Fairhaven ‘T’ parking area are aging. The asphalt is deteriorating, the parking places are not delineated with lines, and often half the lot is covered with sand (Exhibit 2, Site Conditions). As a result the space is not used to its maximum capacity. Additionally, although prohibited, off-road vehicle access occurs at this location. The Fairhaven ‘T’ access point is approximately 2 miles south of the nearest pedestrian beach access point, known as Power Pole. However, Power Pole is frequently at capacity, causing visitors to access the beach elsewhere.

Improvements at Fairhaven ‘T’ would help accommodate additional visitors’ needs. The proposed project would result in upgrades to the parking area: new pavement, delineated parking spots, signage to pedestrian access, curbing, improved water drainage, and large boulders to barricade vehicles from accessing the beach (Exhibit 3).

In its current condition, the Fairhaven ‘T’ Access point can accommodate approximately 5 – 7 vehicles. After the improvements are completed, it is anticipated the parking area would accommodate approximately 19 vehicles, including one parking spot for disabled persons.

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Although there would be a realized increase in vehicle capacity, it is due to better design, organization and maintenance of the parking area; the proposed project does not constitute an increase in the footprint of the parking area.

**Site Description:** The Fairhaven 'T' Access Point on the north spit of Humboldt Bay, between the communities of Samoa and Fairhaven, consists of a deteriorating asphalt-paved parking area approximately 170 feet by 45 feet. The pavement is eroding along its edges. To the east are New Navy Base Road and the North Coast Export Company; to the west is the Pacific Ocean. Properties to the north and south consist of undeveloped privately owned dunes property.

**Project History:** The Conservancy has supported Humboldt County beach and dunes access projects for years, and has previously provided critical funding for planning and implementation of access projects around Humboldt Bay and along the Pacific Ocean.

In 1990, in response to serious conflicts over beach uses and the need to protect threatened dune-dependent species, the Coastal Conservancy provided funding to the Humboldt County Planning Department to develop the Humboldt Beach and Dunes Management Plan (HBDMP) covering the North and South Spits of Humboldt Bay. That plan, completed in 1993 and adopted by the Conservancy in 1995, led to an amendment to the Humboldt County Local Coastal Plan (LCP) to minimize the conflicts between recreational beach users and the beach and dune environment. The amended LCP included measures affecting the HBDMP study areas such as improving and promoting public access at appropriate and convenient locations, removing inappropriate vehicle uses from most (previously unregulated) beaches, seasonally limiting access to dune areas known to be used by endangered species for nesting, acquiring pristine dune ecosystem lands. The Conservancy has subsequently funded supplemental projects identified in Phase I of the adopted measures of that plan, including planning and design of key access points, such as the proposed project.

The Coastal Conservancy works closely with Coastal Commission staff to identify local entities able and willing to accept offers to dedicate public access easements that are attached to coastal properties as a condition of coastal development. In July 2004, the County of Humboldt accepted an offer to dedicate an access easement from North Coast Export Company on property immediately adjacent to the project site. Together, these two tracts constitute County managed access from the public roadway to the shoreline.

### **PROJECT FINANCING:**

Coastal Conservancy	\$50,000
Humboldt County	<u>7,800</u>
<b>Total Project Cost</b>	<b>\$57,800</b>

The Conservancy's contribution to this project is expected to come from the FY 2005/06 appropriation from the Safe Neighborhoods, Parks, Clean Water, Clean Air and Coastal Protection Bond Fund (Proposition 12) allocated for resource development projects north of the Gualala River.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

This project is consistent with Chapter 9 of the Conservancy's enabling legislation, Public Resources Code Sections 31400-31409, as follows:

Public Resources Code Section 31400 states the Legislature's intent that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state's coastline. In the proposed project, the Conservancy funding would provide for improvement and maintenance of a coastal trail, thereby increasing accessibility to coastal resources. The proposed funding authorization is thus consistent with Public Resources Code Section 31400.

Public Resources Code Section 31400.1 states the Conservancy may provide grants to public agencies to develop lands for public access purposes if the subject accessway will serve greater than local needs. Visitor use surveys conducted at nearby beaches in Humboldt County indicate that Humboldt County beaches attract large numbers of out of town visitors, including those from California, the country and beyond. Improving the usability of the access point would serve to increase the number of visitors who could gain access to the beach. Thus, the proposed project is consistent with section 31400.1.

The proposed funding authorization is also consistent with Public Resources Code Section 31400.2, which provides that the Conservancy may provide up to the total cost of the development of public accessways by public agencies, as provided in Section 31400.1. The Conservancy funding would provide 87 percent of the project cost; the County will contribute the remaining 27 percent. Additionally, the County has committed to funding the annual maintenance for the site at a cost of approximately \$3,000.

The proposed funding is also consistent with Public Resources Code Section 31400.2 in that staff recommends approval of this project after evaluating the amount of funding provided by the Conservancy in light of the total amount of available for coastal public accessway and urban waterfront projects, the fiscal resources of the grantee, the urgency of the project relative to other eligible projects, and the application of factors prescribed by the Conservancy for the purpose of determining project eligibility and priority. The proposed authorization would provide matching funds for the proposed project.

The proposed funding authorization is consistent with Public Resources Code Section 31400.3, which states that the Conservancy may provide such assistance as is required to aid public agencies in establishing a system of public coastal access ways. The Conservancy funding would enable the County to rehabilitate the access facilities to include not only increased usage, and provide parking for persons with disabilities, thereby making this access point more readily available to those with disabilities.

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### **CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 2, Objective D**, the proposed project will increase coastal recreation by improving the parking capacity, and improving public safety by installing barricades controlling off-road vehicle access.

### **CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

#### **Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The project is supported by the citizens of Humboldt Bay as indicated by preparation of the Beach and Dunes Management Plan, prepared by local private citizens and agencies, and adopted in 1993 by the County of Humboldt as an amendment to the Humboldt County Local Coastal Plan. Included in the Beach and Dunes Management Plan is the recommendation to improve the facilities for public access at the Fairhaven 'T' site. Other supporters of the project include Senator Wesley Chesbro, Assemblymember Patty Berg and the Humboldt County Board of Supervisors. Letters of support are included (Exhibit 4).
4. **Location:** The proposed project is located within the coastal zone boundary on the north spit of Humboldt Bay between the communities of Fairhaven and Samoa (Exhibit 1).
5. **Need:** The County of Humboldt recently acquired the North Coast Export Company Offer to Dedicate (OTD) access easement adjacent to the county-owned right of way that makes up the Fairhaven 'T' access point parking area (see Exhibit 3). However, the County has a shortage of funds available to improve and maintain the newly expanded accessway. The Conservancy funding will enable the County to rehabilitate the access point to the condition necessary to accommodate the use levels. Without Conservancy funding, the parking area would remain degraded and disorganized, and fewer visitors would continue to be served. Further, vehicles continue to access the beach from this point though signs prohibiting this activity are posted. The improvements will result in barricades to keep vehicles off the beach helping to improve the dunes and protect endangered species, and keep visitors on the beach safe from vehicles.
6. **Greater-than-local interest:** The Humboldt Bay area is a destination for visitors from all over the world who are drawn to northern California for the mountains, redwoods, and oceans., The proposed project will increase the available beach access on the north spit to accommodate the increasing numbers of local and out-of-area visitors.

#### **Additional Criteria**

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7. **Resolution of more than one issue:** The project will organize the parking area, thereby accommodating more visitor vehicles concurrently, prevent vehicles from illegally accessing the dunes, and ensure disabled visitors access for ocean viewing.
8. **Leverage:** See the "Project Financing" section above.
9. **Readiness:** Under previous Conservancy funding, the County completed designs for the parking lot improvements. Now that the County also owns the access easement offered by the North Coast Export Company it has an opportunity to create and maintain County access to the shoreline. The County will serve as Lead Agency for the project and will obtain any necessary Coastal Development Permits as soon as Conservancy funding is authorized.

### **CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The Humboldt Bay Area Plan and its supporting zoning regulations form the Local Coastal Program (LCP) for the project area. Humboldt County's LCP consists of an integrated system of Land Use Plan (LUP) and Implementation Plan (IP) documents. The Humboldt County LCP policies address resource protection and public access issues. In response to resource protection needs on the north and south spit of Humboldt Bay, the County completed the Beach and Dunes Management Plan (HBDMP). The preferred planning alternatives from the HBDMP were approved by the Coastal Commission and amended to the Humboldt Bay Plan (LCP) and the County General Plan in 1993. The HBDMP, adopted by the Coastal Conservancy in April 1995, confirms the information presented in the LCP and discusses planning alternatives. Specifically, the LCP recommends the development of certain locations on the north spit of Humboldt Bay for public access.

**Section 2.60.24** of the HBDMP discusses the popularity of the Fairhaven 'T' location for providing recreational public access and recommends that an agency willing to accept responsibility for liability and maintenance and operation should develop this site for public access with a pedestrian pathway, and a gate to restrict vehicle use. The Humboldt County has recently accepted an easement, known as the North Coast Export Access Easement, for public access across property adjacent to the Fairhaven 'T' access right of way, creating public beach access from the road to the shoreline. This project is consistent with the recommendations in the Humboldt County LCP in that it would result in improved public access for recreational purposes and would effectively bar vehicles from gaining beach access at this point.

### **COMPLIANCE WITH CEQA:**

Conservancy staff has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has found the project to be categorically exempt under CEQA section 15301, which exempts from CEQA review the repair, maintenance, or minor alteration of existing facilities which involve negligible or no expansion of use beyond existing conditions. The Fairhaven 'T' Access Point along New Navy Base Road is an existing access facility, comprised of asphalt paving to demark the parking area. The proposed project involves removing degraded pavement, pouring new pavement in the existing footprint of the parking area, adding curbing and placing large boulders around the parking area perimeter to prevent unauthorized vehicle access to the dunes.

Conservancy staff will file a "Notice of Exemption" following project authorization.